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EXAMINER

CORRIELUS, JEAN M

ART UNIT PAPER NUMBER

2172

DATE MAILED: 03/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/839,987

Applicant(s)

PORTER, EDWARD W.

Examiner

Jean M Corrielus

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-17, 20, 21, 24-26 and 34-38 is/are allowed.
- 6) ☒ Claim(s) 1-4, 9-14, 18, 22 and 27-33 is/are rejected.
- 7) ☒ Claim(s) 5-8, 19 and 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

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DETAILED ACTION

1. This office action is in response the application filed on April 20, 2001, in which claims 1-38 are presented for examination.

Drawings

2. This application has been filed with informal drawings, which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Objections

3. Claims 1-38 are objected to because of the following informalities
Please delete the “-“ in front of the claim numbers and claim limitations;
Claim 8, line 6 after “node,” please delete “or” and insert –and--;
Claim 10, line 9 after “users,” please insert –and--;
Claim 14, line 10 after “ranking” please delete “.” insert --,--;
Claim 17, line 6 after “node,” please delete “or” insert –and--;
Claim 19, line 5 after “hierarchy,” insert –and--;
Claim 20, line 10 after “ranking” delete “.”
Claim 20, line 24 after “node:” please delete “and/or” insert –and--;
Claim 21, line 7 after “users,” please insert –and--;
Claim 22, line 10 after “ranking” delete “.”;
Claim 22, line 14 after “nodes,” please insert –and--;

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Claim 23, line 7 after “nodes;” please insert –and--;

Claim 24, line 10 after “ranking” delete “.”;

Claim 24, line 26 after “users;” please insert –and--;

Claim 27, line 10 after “ranking” delete “.”;

Claim 27, line 13 after “pattern;” please insert –and--;

Claim 29, line 12 after “users;” please insert –and--;

Claim 33, line 5 after “nodes;” please insert –and--;

Claim 34, line 10 after “ranking” delete “.”;

Claim 35, line 10 after “ranking” delete “.”;

Claim 37, line 11 after “ranking” delete “.”;

Claim 37, line 19 after “media;” insert –and--.

In light of the above, the applicants are suggested to amend the claims to resolve the objection problem set forth in the claims.

Claim Rejections - 35 U.S.C. 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention

Claim 14-17 and 24-26 are rejected under 35 U.S.C. 112 second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regard as the invention. Claims 14 and 24 recited “there are a plurality of said parent nodes under

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which other nodes are ranked by said method including some parent nodes under the which are ranked other of said parent nodes by said method". It is unclear as the applicants meant by the above mentioned recited. Applicants are advised to amend the claims to enable one having ordinary skill in the art to make and use the invention.

Claim 16 recites the limitation "the ordering criteria" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 U.S.C. 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1-4, 9-14, 18, 22 and 27-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al., (hereinafter "Smith") US Patent no. 6,594,673 in view Heckerman US Patent no. 6,633,852.

As to claim 1, Smith discloses an interactive collaborative information visualization system that includes a database of collaborative information and a database filter to obtain and measure a user-selected portion of the collaborative information. In particular, Smith discloses the claimed "storing a plurality of information nodes" (col.4, lines 32-46; col.6, lines 5-60; fig.4-7). However, Smith does not explicitly disclose the use of calculating a group ordinal ranking of each of said set of nodes under said parent node, as a function of the ordinal ranking given to each of said nodes by each of a group of individual users; and displaying said set of nodes under said parent node ordered as a function of the group ordinal ranking calculated.

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Heckerman discloses the claimed “providing a user interface enabling each of a plurality of users to associate a relative ordinal ranking with each of a set of said nodes under another of said nodes which functions as a parent node” as a browser that determines a list of product in which a user will most likely be interested by having the user state a preference for only those features is most likely interested and displays a list, wherein the browser is identified as being most relevant to the determination of the products that the user may like (col.3, lines 33-57) and weights which indicate the importance of each node to each preference node (col.10, lines 55-65); “calculating a group ordinal ranking of each of said set of nodes under said parent node, as a function of the ordinal ranking given to each of said nodes by each of a group of individual users” (col.16, lines 24-35); and “displaying said set of nodes under said parent node ordered as a function of the group ordinal ranking calculated” (col.16, lines 49-55).

It would have been obvious to one of ordinary skill in the art of data processing, at the time the present invention was made to combine the teachings of the cited references, wherein the interactive collaborative information (see Smith's fig.2) would incorporate the use of calculating a group ordinal ranking of each of said set of nodes under said parent node, as a function of the ordinal ranking given to each of said nodes by each of a group of individual users; and displaying said set of nodes under said parent node ordered as a function of the group ordinal ranking calculated. The motivation being to indicate the available product having the greatest likelihood of being the desired product to the user

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As to claim 2, Smith does not explicitly disclose the claimed of calculating a group ordinal ranking, calculates the ordinal ranking as a function of the selected group based on the ordinal rankings given to nodes by users of the selected group.

Heckerman, on the other hand, discloses the claimed “providing a user interface enabling a user to select from different groups of users” browser that determines a list of product in which the user will most likely be interested by having the user state a preference for only those features is most likely interested and display the list and also the browser has identified as being most relevant to the determination of the products that the user may like (col.3, lines 33-57) and weights which indicate the importance of each node to each preference node (col.10, lines 55-65); and “wherein said step of calculating a group ordinal ranking, calculates the ordinal ranking as a function of the selected group based on the ordinal rankings given to nodes by users of the selected group” (col.16, lines 24-35). It would have been obvious to one of ordinary skill in the art of data processing, at the time the present invention was made to combine the teachings of the cited references, wherein the interactive collaborative information (see Smith’s fig.2) would incorporate the use of calculating a group ordinal ranking of each of said set of nodes under said parent node, as a function of the ordinal ranking given to each of said nodes by each of a group of individual users. The motivation being to indicate the available product having the greatest likelihood of being the desired product to the user.

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As to claim 3, Smith discloses the claimed “wherein there are a plurality of said parent nodes under which other nodes are ranked by said method, including some parent nodes under which are ranked other of said parent nodes by said method, so as to create a data structure which can be viewed as a hierarchy”(col.4, lines 33-60; col.5, lines 43-65).

As to claim 4, Heckerman, discloses the claimed “wherein said user interface which allows users to associate an ordinal ranking with nodes, enables users to” browser that determines a list of product in which the user will most likely be interested by having the user state a preference for only those features is most likely interested and display the list and also the browser has identified as being most relevant to the determination of the products that the user may like (col.3, lines 33-57) “associate a separate ordinal ranking of one node under each of a plurality of said parent nodes” weights which indicate the importance of each node to each preference node (col.10, lines 55-65); and “said calculating of a group ordinal ranking calculates a separate ranking for a said one node under each of said plurality of parent nodes” (col.16, lines 24-35).

As to claim 9, Smith discloses the claimed “some of said parent nodes ranked under another parent node are statement nodes which make a statement” (col.4, lines 32-46); and “some of said statement nodes are themselves parent nodes under which other statement nodes are ranked, which other statement node either support or oppose the statement made by their parent statement node” (col.5, lines 5-30).

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As to claims 10-13, the limitations of these claims have been noted in the rejection of claims 1-4 above. They are, therefore, rejected under the same rationale.

As to claims 18 and 22, Smith discloses the claimed “storing a plurality of information nodes” (col.5, lines 15-30; col.6, lines 11-40); “providing a user interface enabling each of a plurality of users to associate a selected one of a plurality of values with each of a, set of said nodes under another one of said nodes which functions as a parent node” (col.8, lines 58-67); “providing a user interface enabling a user to select from different groups of users” (col. 8, lines 58-67); “calculating a group ordinal ranking of each of said set of nodes under said parent node, as a function of the values given to said nodes by each of a group of individual users”(col.16, lines 24-35). However, Smith does not disclose of displaying said set of link nodes under said parent node as a function of said calculated ordinal ranking.

Heckerman, on the other hand, discloses “displaying said set of link nodes under said parent node as a function of said calculated ordinal ranking” (col.16, lines 24-35); and “wherein said step of calculating a group ordinal ranking, calculates the ordinal ranking as a function of the selected group based on said values given to nodes by users of the selected group” (col.16, lines 24-35). It would have been obvious to one of ordinary skill in the art of data processing, at the time the present invention was made to combine the teachings of the cited references, wherein the interactive collaborative

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information (see Smith's fig.2) would incorporate the use of calculating a group ordinal ranking of each of said set of nodes under said parent node, as a function of the ordinal ranking given to each of said nodes by each of a group of individual users. The motivation being to indicate the available product having the greatest likelihood of being the desired product to the user.

As to claims 27-33, the limitations of claims 27-33 have been noted in the rejection of claim 1 above. In addition, Smith discloses the claimed "providing a search user interface enabling a user to select a pattern and automatically search through said nodes to find a set of one or more nodes having a matching pattern" (col.8, lines 58-67; col.9, lines 2-40); and "displaying said set of matching nodes ordered as a function of their respective values of a certain collaborative activity performed on them by multiple users" (col.9, lines 40-65; col.4, lines 32-46). However, Smith does not explicitly disclose the use of displaying said set of nodes, including said chat thread nodes, under the parent node they have been ranked as a function of said calculated ordinal ranking.

Heckerman, on the other hand, discloses the claimed "displaying said set of nodes, including said chat thread nodes, under the parent node they have been ranked as a function of said calculated ordinal ranking" (col.16, lines 24-35). It would have been obvious to one of ordinary skill in the art of data processing, at the time the present invention was made to combine the teachings of the cited references, wherein the interactive collaborative information (see Smith's fig.2) would incorporate the use of

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displaying said set of nodes, including said chat thread nodes, under the parent node they have been ranked as a function of said calculated ordinal ranking. The motivation being to indicate the available product having the greatest likelihood of being the desired product to the user.

Allowable Subject Matter

7. Claims 5-8, 19 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Claims 14-17, 20-21, 24-26 and 34-36 are allowable over the prior made of record.

Reason for Indicated Allowable Subject Matter

9. The present application has been thoroughly reviewed. Upon searching a variety of databases, the examiner respectfully submits that “providing a hierarchy view interface enabling users to select a given parent node in said hierarchy and to select to have a combined sub-node list displayed in association with the selected parent node which displays sub nodes which have been ranked under the selected parent node and sub nodes which have been ranked under nodes which descend from the selected parent node in said hierarchy; calculating a combined list ordinal ranking for each of said sub-nodes listed in said combined sub-node list as a function of the values given to said sub nodes by each of said group of individual users under the selected parent node and its descendant nodes;

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and displaying said sub-nodes in said combined sub-node list as a function of said calculated combined list ordinal ranking” as recited in claim 34; and “providing a user interface on a client computer allowing a user to define a quote occurring in media available at an address elsewhere on an internetwork than on said server computer, and an identification of said address; downloading from said address to said server said media and verifying if said quote occurs in it, and if so generating verification media which identifies that: said quote occurred in said media; and providing a user interface on said client computer for enabling said user to insert said verification media into a node which can be stored in a ranked node on said server”-- as recited claim 37 and in conjunction with all other limitations of the dependent and independent claims are not taught by the prior art of record (PTO-892, 1449).

10. Since allowable subject matter has been indicated, applicant is encouraged to submit formal drawings in response to this Office action. The early submission of formal drawings will permit the Office to review the drawings for acceptability and to resolve any informalities remaining therein before the application is passed to issue. This will avoid possible delays in the issue process.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (703) 306-3035. The examiner can normally be reached on Tuesday - Friday (7:30 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jean M. Corrielus

Patent Examiner

March 10, 2004